

AMENDED IN SENATE JULY 14, 2005

AMENDED IN SENATE JUNE 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 734**

**Introduced by Assembly Member Parra Dymally**  
**(Coauthor: Assembly Member Dymally)**

February 17, 2005

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An act to amend Section ~~6350~~ 653o of the Penal Code, relating to endangered species.

### LEGISLATIVE COUNSEL'S DIGEST

AB 734, as amended, ~~Parra~~ Dymally. Endangered species: crimes.

Existing law makes it unlawful to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of certain animals, including any kangaroo.

This bill would revise those provisions relative to kangaroos to apply only to endangered kangaroos, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 653o of the Penal Code is amended to
- 2 read:
- 3 653o. (a) It is unlawful to import into this state for
- 4 commercial purposes, to possess with intent to sell, or to sell
- 5 within the state, the dead body, or any part or product thereof, of
- 6 any alligator, crocodile, polar bear, leopard, ocelot, tiger,

1 cheetah, jaguar, sable antelope, wolf (*Canis lupus*), zebra, whale,  
2 cobra, python, sea turtle, colobus monkey, kangaroo, vicuna, sea  
3 otter, free-roaming feral horse, dolphin or porpoise  
4 (*Delphinidae*), Spanish lynx, or elephant.

5 (b) For purposes of this section, ~~“kangaroo” means~~  
6 *“kangaroo” means* those species of kangaroo that are included  
7 under any of the following:

8 (1) The federal Endangered Species Act of 1973 (16 U.S.C.  
9 Sec. 1531 et seq.).

10 (2) The Convention on International Trade in Endangered  
11 Species of Wild Fauna and Flora.

12 (c) Any person who violates any provision of this section is  
13 guilty of a misdemeanor and shall be subject to a fine of not less  
14 than one thousand dollars (\$1,000) and not to exceed five  
15 thousand dollars (\$5,000) or imprisonment in the county jail not  
16 to exceed six months, or both ~~such~~ *that* fine and imprisonment,  
17 for each violation.

18 (d) The prohibitions against importation for commercial  
19 purposes, possession with intent to sell, and sale of the species  
20 listed in this section are severable. A finding of the invalidity of  
21 any one or more prohibitions shall not affect the validity of any  
22 remaining prohibitions.